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DEPT PLEASE PASS TO KCC

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SUBJECT: FRAUD SUMMARY - ZIMBABWE

REF: A. STATE 57623
[B.](#) STATE 97431

¶1. COUNTRY CONDITIONS: One year after the signing of the Global Political Agreement (GPA) that led to the February 2009 formation of a new unity government, tension remains between and within Zimbabwe's major political parties. Several issues remain unresolved, to include the restoration of basic human rights, respect for the rule of law, and the ability of the government to feed its people. Within the new government, leaders of the Movement for Democratic Change (MDC) claim the inclusive government is living up to its promise, while blaming leaders of the Zimbabwe African National Union-Patriotic Front (ZANU-PF) for lack of progress in restoring human rights and rule of law. Conversely, ZANU-PF blames the MDC for not pressuring the U.S. and EU to lift sanctions.

¶2. Against this backdrop, corruption flourishes within the Zimbabwean civil service, resulting in a near total collapse of government controls over passports and official documents. Civil servants receive roughly USD 150 per month, making them vulnerable to bribes and kickbacks for basic subsistence. As a result, document vendors flourish, and post has seen a sharp increase in the number of fraudulent civil documents produced from official blanks. In addition, the dollarization of the economy has resulted in a rash of counterfeit U.S. dollars entering circulation. In a new trend seen this reporting period, post has seen questionable student examination results, strongly suggesting corruption within the Zimbabwean Schools Examination Council (ZIMSEC).

¶3. NIV FRAUD: Student visa applications accounted for approximately 15 percent of our NIV workload this half, with line officers increasingly encountering fraudulent educational records or financial documents. In spite of our strained diplomatic relations at the ministerial level, our FPU has enjoyed a good working relationship with the Zimbabwean Schools Examination Council (ZIMSEC), which has been very responsive in verifying transcripts and education levels. However, within the past few months we have noted a disturbing trend involving fraudulent original O and A level testing reports. Previously, the consular section had only seen amateurish attempts to produce fraudulent school certificates but never witnessed the presentation of fake certified copies of the test reports given by ZIMSEC. The excellent document quality for these fake test reports suggests that a high level staff member at ZIMSEC has been involved in selling these reports. This new fraud trend was only detected because an applicant who presented one of these fraudulent test reports had also applied for a student visa in 2008 and the consular officer doubted that her A Level results would have improved so dramatically in one year. Because we now believe that ZIMSEC has been compromised, we have begun verifying A and O Level test results and certificates with the schools the applicants attended. Although this independent check will require additional effort from our FPU, we believe it is necessary in cases where the applicants have yet to receive their O and A Level Certificates. (Note: Zimbabwe students normally sit for exams in June and November. Results are typically delivered in three months, but

actual certificates are taking in excess of six months. End Note.)

14. Perhaps motivated by the formation of the inclusive government, we have seen a dramatic increase in NIV applications by applicants. We have seen a dramatic increase in NIV applications by applicants who are on the OFAC sanctions list. We have sent SAOs in all of these cases. The Department has confirmed 212 (f) ineligibilities in 18 cases and a remaining 6 cases are still pending Department approval. (When told they were ineligible to travel to the U.S., many applicants have argued that there should no longer be a sanctions list since there is now an inclusive government.)

15. Approximately 10 percent of all NIV interviews are translated from either Ndebele or Shona by members of our local staff. Recently, during one of these translated interviews, we had an applicant ask an interpreter for "help" in getting them a visa. The staff member immediately informed the consular officer and the consular officer switched staff members. As part of our management controls, we randomly select staff members for translation duties and conduct these interviews in front of the other local staff to ensure the veracity of the translation services being provided.

16. IV FRAUD: During this quarter, two IV cases were sent for revocation because the consular officer discovered that there was no qualifying relationship between the petitioner and beneficiary at the time the petition was filed. In both cases, the divorce decree which was submitted as proof of the termination of the biological mother's marriage to the beneficiary's biological father were determined to be fraudulent documents. This was determined by the High Court of Zimbabwe, which allegedly issued the divorce decrees. Additionally, in one of the cases, a Lexis-Nexis check revealed that the petitioner, who is the step-father of the beneficiary, had

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divorced the beneficiary's biological mother on August 19, 2008 -- a year prior to the beneficiary's interview.

17. DV FRAUD: Instances of DV fraud are rare in Harare and there was only one case during this period. It involved an applicant submitting false O Level certificates to demonstrate that she met the Diversity Visa requirement of having attained the equivalent of a high school diploma. After being confronted by the consular officer with an email from ZIMSEC stating that the certificates were fraudulent, the applicant admitted to buying the certificates from a local document vendor for approx USD 150. The applicant admitted that more was to be paid if she had received her visa.

18. ACS AND PASSPORT FRAUD: DNA testing continues to be one of our most important verification tools in adjudicating questionable claims to citizenship. During this period, we had four cases referred to the FPU for citizenship verification. All of the cases began as applications for Consular Reports of Birth Abroad (CRBA) submitted at post for babies born in Zimbabwe. In all of the cases we were able to confirm the father's U.S. citizenship. However, all the children were born out of wedlock, and in three of the four cases the parents did not live together. Unable to reconcile or verify the dates of conception with the dates of birth, we requested DNA confirmation of parentage in all four cases. To date we have been able to confirm the biological relationship in two cases, with two cases still pending.

19. We had one false claim to citizenship during this reporting period. A young man of 14 showed up at post claiming to be an American citizen. He based his story on a photograph of a white man, who he said had traveled with him from the U.S. to France, Tanzania, Zambia and finally Zimbabwe. There were a number of fraud indicators in the case including: lack of documentary evidence to support the citizenship claim, no identification documents from the applicant, a strong foreign accent by the applicant, and no social security number. With the help of a local NGO who provided counselors and psychologists to speak with the young man, it was established that the applicant was most likely an illegal immigrant from Ethiopia who was falsely claiming American citizenship.

¶10. In another example of how it pays dividends to judiciously use limited validity passports in cases of questionable reports of lost/stolen passports, an American who reported a second lost/stolen passport returned with the first passport that he had reported stolen the year before. The American now demanded that we issue a full validity passport since he could account for the previously "stolen passport." After running a routine name check on the American citizen, we discovered that he had an outstanding U.S. Marshall's warrant, which had not appeared during the name check the year prior. Working closely with the Regional Security Office, we cancelled the American's valid passport and issued him a limited validity passport for direct return to the U.S. only. The Regional Security Office escorted the American to the airport and notified the police in Denver that he was returning to the United States. The American was picked up at the airport on arrival and arrested immediately.

¶11. We have had one instance of passport mutilation during this quarter. It involved a 20-year-old American citizen who had altered the year of birth on his passport from 1989 to 1981 in order to gain the year of birth on his passport from 1989 to 1981 in order to gain access to the university campus bar. We cancelled the passport and recommended issuance of a limited validity passport.

¶12. ADOPTION FRAUD: None this reporting period.

¶13. USE OF DNA TESTING: Per Ref B, post has established DNA sample kits a controlled item with the ACO responsible for the chain of custody. In addition, all tests (swabs) will now be conducted at the consular section, vice the panel physician's office.

¶14. Post uses DNA testing as a means of last resort to confirm biological relationships. Upon identification of fraud indicators that cause the adjudication officer to suspect the relationship, the case is referred to the FPU, applicants are asked to submit supplemental evidence, and civil documents are sent for verification. Only after investigation by the FPU, are applicants recommended for DNA testing as a means to confirm the alleged relationship. Post's FPU witnessed 14 DNA tests this half. 13 Results confirmed the relationship, with 1 still outstanding.

¶15. ASYLUM AND OTHER DHS BENEFITS FRAUD: The country's political turmoil and human rights abuses have resulted in a quantum leap in our V92/93 cases. In the last six months, we have received an additional 14 cases, processed to completion eight, leaving us with a backlog of 96. Many of these cases have multiple fraud

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indicators, and will require considerable time by our FPU to investigate. After consulting with our Regional Consular Officer, we issued termination notices for all cases that have languished beyond 180 days, followed by petition return for those without a positive response. So far, we have sent nine cases for revocation based solely on the fact that nothing has occurred in the case for more than 200 days.

¶16. The Consular Section has noticed an increase in the approval of questionable asylum petitions, including one recently filed by an asylee whose husband still works for the Government of Zimbabwe and has adamantly rejected any opportunity to follow his wife to the states. Because of this, we would ask the Department's help in communicating to DHS a better set of criteria for adjudicating these types of claims. Specifically, the consular section suggests that approved petitions have at least a plurality of the criteria set forth below:

¶1A. Applicants can provide specific dates of torture and abuse and can explain who tortured them and how. In the questionable cases, we have seen applicants merely state, "In June 2001 I was tortured." Some torture techniques, such as falanga (beating on the soles of the feet) and beating on the back or buttocks with logs or sticks, are particularly common. During election periods, torture is often perpetrated by ZANU-PF youths at so-called "bases" in rural areas.

1B. Many victims of State-sponsored persecution have had their houses burned or destroyed.

1C. Victims should be able to articulate their role and responsibilities in MDC or related organization.

1D. Victims of torture have frequently been so severely beaten that they required hospitalization or would have scars from the torture they experienced. Falanga injuries are often not visible, but can be detected with x-rays or magnetic resonance imaging (MRI).

1E. The consular section and the Human Rights officer have witnessed a concerted effort by the Government of Zimbabwe to also assault the family members of those involved in supporting the opposition movement. Also, sexual assault amongst female relatives was very high, particularly after a husband or son had already sought asylum.

1F. Generally, those suffering from political persecution did not buy plane tickets to the U.S. in Zimbabwe because they were afraid the Central Intelligence Office (CIO) would find out.

1G. Credible victims of political persecution are normally able to provide specific examples of how their political membership or activism had been documented by CIO, i.e. "I attended this rally on such and such a date where I was arrested."

1H. Many threatened people told their families beforehand that they were leaving and seeking asylum in the U.S.

17. ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME, TERRORIST TRAVEL: Nothing to report.

18. DS CRIMINAL FRAUD INVESTIGATIONS: Post's consular section and the RSO have been cooperating with a DS Washington Field Office investigation involving a Zimbabwe family issued A1 visas on 13 March 2008.

19. HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS, and CIVIL REGISTRY: As previously reported, corruption has become endemic within the Zimbabwean civil service, resulting in a near total collapse of government controls over passports and official documents. Document vendors have access to official "blanks" and absent verification, post has no confidence in Zimbabwean civil documents filed or printed within the past three years. Qprinted within the past three years.

120. COOPERATION WITH HOST GOVERNMENT AUTHORITIES: On a working level, we have strong and effective relationships with all the document registries and with the government printing office.

121. AREA OF PARTICULAR CONCERN: NIV petition-based applications, student applications, IV step-parent petitions, asylum processing, and counterfeit currency. Due to the banking situation in Zimbabwe, all consular fees, including all MRV fees, are collected by the consular cashier in cash, U.S. dollars only. In the past six months we have discovered four counterfeit notes which have been turned over to the Secret Service via the RSO.

122. STAFFING AND TRAINING: Post thanks CA/EX for funding advanced consular training for vice consul Amy Diaz and IV training for LES

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Lizzie Zambu. Both have returned to work re-energized and with new ideas on how to streamline our processing.

PETTERSON